

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. _____

v. : DATE FILED: _____

BENJAMIN SHEPPARD EBONY PRICE SHEPPARD LAWANDA SHEPPARD AMANDA SHEPPARD	:	VIOLATIONS:	18 U.S.C. § 371 (Conspiracy to commit an offense against the United States - 1 Count) 18 U.S.C. § 666 (Theft/bribery concerning a program receiving federal funds - 3 Counts)
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I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES THAT:

At times material to this Indictment:

The Voucher Program

1. The Department of Housing and Urban Development (HUD) was the federal government agency charged with providing and regulating federal funding for housing, including low-income housing.

2. The Philadelphia Housing Authority (PHA) was the public housing authority charged with providing housing in accordance with HUD rules and regulations in the Philadelphia area.

3. PHA was an organization which received benefits in excess of \$10,000 in any one-year period under a federal program involving grants, subsidies, and other forms of federal assistance.

4. “Housing Choice” was a program, also known as Section 8, which was funded by HUD and administered in the Philadelphia area by PHA. Through “Housing Choice,” PHA provided rental assistance to low-income families in privately owned housing.

5. The HUD Housing Choice Voucher Program (Voucher Program) was a federal government program for assisting low-income families, the elderly, and the disabled afford decent, safe, and sanitary housing in the private market.

6. In the Voucher Program, HUD paid rent and utility subsidies so eligible families could afford decent, safe and sanitary housing. In the Philadelphia area, the Voucher Program was administered by PHA. HUD provided housing assistance and administration funds to PHA.

7. Under the Voucher Program, PHA maintained a waiting list of eligible applicants; maintained information that permitted PHA to select participants from the waiting list in accordance with PHA admission policies; conducted credit and background checks of applicants; reviewed applications of the Housing Choice program; certified program eligibility of applicants; selected participants in accordance with admission policies in the PHA administrative plan; inspected and certified that housing units met Housing Quality Standards and approved units for leasing and contracts; determined the amount of Housing Assistance Payments to landlords on behalf of families, and made such payments; conducted annual recertifications for continued

eligibility for participants; and monitored program performance and compliance of landlords and families.

8. With few exceptions, families were selected by PHA for inclusion into the Voucher Program by the use of periodic lottery drawings known as "wait list pulls". Throughout 2001, there were approximately 27,000 applications in the applicant pool awaiting Section 8 housing subsidies.

9. When a family was selected by the lottery, PHA issued an appointment letter for the family to obtain a voucher. Once the voucher was issued, the family would then have an extendable 60-day period to search for a housing unit. If the family found a housing unit, and the owner was willing to lease the unit under the Voucher Program, the family would request PHA approval.

10. If PHA approved, PHA would enter into a Housing Assistance Payments (HAP) contract with the owner, in which HUD, through PHA, would pay a monthly rent subsidy to the owner on behalf of the family from the federally funded Voucher Program. In some cases, PHA would also pay a monthly utility subsidy directly to the family from the federally funded Voucher Program. (Rent and utility subsidies are hereafter referred to collectively as "housing subsidies.")

Charmaine Mabry as a PHA Official

11. Charmaine Mabry, charged elsewhere, was employed by PHA as a Section 8 Eligibility Department clerk.

12. Charmaine Mabry's responsibilities included initiating criminal background checks on potential recipients of Section 8 benefits to screen out ineligible persons.

13. Charmaine Mabry also was responsible for accessing the PHA computer database on persons on the Section 8 wait list and making appropriate entries regarding criminal histories of potential clients.

14. From in or around the Summer of 2001 to in or about at least August 2002, in the Eastern District of Pennsylvania and elsewhere, defendants

BENJAMIN SHEPPARD
EBONY PRICE SHEPPARD
LAWANDA SHEPPARD
AMANDA SHEPPARD

conspired and agreed with each other, and with and Charmaine Mabry and others unknown to the grand jury, to commit an offense against the United States, that is, to embezzle, steal, obtain by fraud, and otherwise without authority knowingly convert to the use of a person other than the rightful owner, and intentionally misapply, property valued at \$5,000 or more, that is money, in the form of monthly housing subsidies paid to landlords on behalf of, and directly to, the co-conspirators described above, totalling at least \$26,843, which money was owned by and under the care, custody and control of PHA, in violation of Title 18, United States Code, Sections 666(a)(1)(A) and (b).

MANNER AND MEANS

15. It was a part of the conspiracy that Charmaine Mabry solicited and accepted money, in her role as an agent and employee of PHA, in exchange for bypassing the Section 8 lottery wait list system and causing appointment letters to be generated and provided to individuals to enable those individuals to obtain vouchers for housing and housing subsidies under the Voucher Program to which they were not then entitled.

16. It was a part of the conspiracy that Charmaine Mabry paid referral fees to individuals who brought to Charmaine Mabry others willing to pay for vouchers and housing subsidies under the Voucher Program to which they were not then entitled.

OVERT ACTS

In furtherance of the conspiracy, defendants BENJAMIN SHEPPARD, EBONY PRICE SHEPPARD, AMANDA SHEPPARD, and LAWANDA SHEPPARD, and Charmaine Mabry, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. In or around the Summer of 2001, an individual unknown to the grand jury informed defendant BENJAMIN SHEPPARD about Charmaine Mabry's scheme.

2. In or around the Summer of 2001, defendant BENJAMIN SHEPPARD provided his telephone number to an individual unknown to the grand jury in order for Charmaine Mabry to contact defendant BENJAMIN SHEPPARD.

3. In or around the Summer of 2001, defendants BENJAMIN SHEPPARD and EBONY PRICE SHEPPARD told defendants AMANDA SHEPPARD and LAWANDA SHEPPARD about Charmaine Mabry's scheme.

4. In or around the Summer of 2001, defendants AMANDA SHEPPARD and LAWANDA SHEPPARD told defendant EBONY PRICE SHEPPARD that they were interested in obtaining a Section 8 voucher from Charmaine Mabry.

5. In or around the Summer of 2001, defendant EBONY PRICE SHEPPARD provided Charmaine Mabry with the names and telephone numbers of defendants AMANDA SHEPPARD and LAWANDA SHEPPARD in order for defendants AMANDA SHEPPARD and LAWANDA SHEPPARD to receive Section 8 vouchers from Charmaine Mabry.

6. On or about June 4, 2001, Charmaine Mabry accessed the PHA database and made fraudulent entries so that Section 8 housing subsidies would be provided on behalf of defendants BENJAMIN SHEPPARD and EBONY PRICE SHEPPARD.

7. On or after June 4, 2001, defendants BENJAMIN SHEPPARD and EBONY PRICE SHEPPARD paid \$800 to Charmaine Mabry for causing a PHA Section 8 appointment letter to be issued to defendants BENJAMIN SHEPPARD and EBONY PRICE SHEPPARD.

8. On or about June 20, 2001, Charmaine Mabry accessed the PHA database and made fraudulent entries so that Section 8 housing subsidies would be provided on behalf of defendant LAWANDA SHEPPARD.

9. On or after June 20, 2001, defendant LAWANDA SHEPPARD paid \$800 to Charmaine Mabry for causing a PHA Section 8 appointment letter to be issued to defendant LAWANDA SHEPPARD.

10. On or about July 18, 2001, Charmaine Mabry accessed the PHA database and made fraudulent entries so that Section 8 housing subsidies would be provided on behalf of defendant AMANDA SHEPPARD.

11. On or after July 18, 2001, defendant AMANDA SHEPPARD paid \$800 to Charmaine Mabry for causing a PHA Section 8 appointment letter to be issued to defendant AMANDA SHEPPARD.

12. On or about September 1, 2001, defendant LAWANDA SHEPPARD leased 6109 Torresdale Avenue, Philadelphia, Pennsylvania, which caused Section 8 housing subsidies to be paid on behalf of defendant LAWANDA SHEPPARD.

13. On or about September 5, 2001, defendant AMANDA SHEPPARD leased 3247 N. Hope Street, Philadelphia, Pennsylvania, which caused Section 8 housing subsidies to be paid on behalf of defendant AMANDA SHEPPARD.

14. On or about November 1, 2001, defendants BENJAMIN SHEPPARD and EBONY PRICE SHEPPARD leased 4315 Elizabeth Street, Philadelphia, Pennsylvania, which caused Section 8 housing subsidies to be paid on behalf of defendants BENJAMIN SHEPPARD and EBONY PRICE SHEPPARD.

In violation of Title 18, United States Code, Section 371.

COUNT TWO

1. Paragraphs 1 through 13 of Count One of this Indictment are realleged here.

2. On or after June 4, 2001, in the Eastern District of Pennsylvania, the defendants

BENJAMIN SHEPPARD, and
EBONY PRICE SHEPPARD

corruptly gave, offered, and agreed to give things of value, that is, a cash payoff, to Charmaine Mabry, an agent and employee of PHA, an organization which received benefits of over \$10,000 in a one-year period under a federal program involving a grant, subsidy, or other form of federal assistance, with intent to influence and reward Charmaine Mabry in connection with a business, transaction, and series of transactions of PHA involving anything of value of \$5,000 or more, that is Section 8 housing subsidies totalling at least \$9,520.

In violation of Title 18, United States Code, Section 666(a)(2) and (b).

COUNT THREE

1. Paragraphs 1 through 13 of Count One of this Indictment are realleged here.

2. On or after June 20, 2001, in the Eastern District of Pennsylvania, the defendant

LAWANDA SHEPPARD

corruptly gave, offered, and agreed to give things of value, that is, a cash payoff, to Charmaine Mabry, an agent and employee of PHA, an organization which received benefits of over \$10,000 in a one-year period under a federal program involving a grant, subsidy, or other form of federal assistance, with intent to influence and reward Charmaine Mabry in connection with a business, transaction, and series of transactions of PHA involving anything of value of \$5,000 or more, that is Section 8 housing subsidies totalling at least \$9,055.

In violation of Title 18, United States Code, Section 666(a)(2) and (b).

COUNT FOUR

1. Paragraphs 1 through 13 of Count One of this Indictment are realleged here.

2. On or after July 18, 2001, in the Eastern District of Pennsylvania, the defendant

AMANDA SHEPPARD

corruptly gave, offered, and agreed to give things of value, that is, a cash payoff, to Charmaine Mabry, an agent and employee of PHA, an organization which received benefits of over \$10,000 in a one-year period under a federal program involving a grant, subsidy, or other form of federal assistance, with intent to influence and reward Charmaine Mabry in connection with a business, transaction, and series of transactions of PHA involving anything of value of \$5,000 or more, that is Section 8 housing subsidies totalling at least \$8,268.

In violation of Title 18, United States Code, Section 666(a)(2) and (b).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney